

**FEDERAL PUBLIC DEFENDER**

NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION  
160 WEST SANTA CLARA STREET, SUITE 575  
SAN JOSE CALIFORNIA 95113

**BARRY J. PORTMAN**  
Federal Public Defender

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**CONFIDENTIAL - ATTORNEY WORK PRODUCT**

**MEMORANDUM TO ATTORNEY**

**TO:** Cynthia C. Lie  
**FROM:** Catherine Ward Neece *CWN*  
**DATE:** December 18, 2007  
**RE:** United States v. Elmer Ochoa-Alvarez  
CR 07-00434 RMW  
**WITNESS:** Angelica Ochoa-Alvarez  
Telephone: 011 504-757-3811

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On December 10, 2007, I contacted Angelica Ochoa-Alvarez at the home of her mother, at the telephone number listed above. Also on the call was Spanish interpreter, Thelma Oros Fotedar.

Angelica was advised that I am an investigator with the Office of the Federal Public Defender which has been appointed to represent her brother, Elmer Ochoa-Alvarez, in his case currently pending in the United States District Court, Northern District of California, San Jose Division. Angelica agreed to speak to me.

Angelica said that she is the defendant's only sister. She has ten brothers. All of the children were punished very harshly by their father when they were growing up, she said.

Angelica said that she recalls when Elmer was stabbed by members of a gang called the Mara, in around 1997. She recalls that Elmer was in a hospital in Tegucigalpa, Honduras, for about one week following the stabbing.

In 2004, or 2005, Elmer had trouble again with the Mara. Elmer was a house that she owned in Arturo, Quebada, Honduras, which is about 20 kilometers from their home.

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Elmer was inside the house watching TV, and the Mara fired gun shots at him.

Angelica said that she was not home at the time, and she learned about what happened later from a neighbor.